

longitudinal axis thereof] for securing the slide assemblies [in either a lower or upper position with respect to the longitudinal axis].

15. (Amended) The system of claim 12, further comprising a sliding direction of the enclosure, wherein each slide assembly [is a compound slide assembly] including a plurality of mating rail sets stacked in [a] the direction transverse to a sliding direction of the enclosure, each mating rail set being [telescopically] extensible [over a portion of a retraction length of the component] through the front [access side] of the rack.

16. (Amended) The system of claim 12, wherein each slide assembly extends from a [web portion of the respective] support rail web by more than twice a depth of the support rail.

17. (Amended) The system of claim [12, wherein each slide assembly has an installed height of approximately one half a height of the respective support rail] 15, further comprising a cover for said enclosure, said cover extending above and between said lower recesses.

18. (Amended) The system of claim 12, further comprising a [pliable] cable support arm secured to the rear [access side] of the rack for carrying electrical conductors [coupled to the computer component].

19. (Amended) The system of claim [18, wherein the cable support arm is disposed in and is extensible within a height envelop dimension of the component] 17, wherein when said cover is removed it provides access to the lower recess of the computer component enclosure.

20. (Amended) The system of claim 12, wherein each support rail is secured [to the rack via separable mounting brackets fixed] to front and rear [mounting flanges] of the rack.

21. (Amended) The system of claim 20[, wherein the] further comprising mounting brackets [recess] for securing each support rail within the rack [toward a respective side panel thereof].

REMARKS

Claims 1 through 21 remain in the application with only claims 1, 7 and 12 being in independent form. Reconsideration of the claims, as amended, is respectfully requested.

In the Drawings

The drawings have been amended as suggested, as shown in the attached drawing sheets, or the specification has been changed. Review of the changes to the specification and drawings is respectfully requested, and removal of the objections to the drawings is respectfully requested.

In the Specification

The Examiner objected to a number of items in the specification. The specification has now been amended. Removal of the objections is respectfully requested.

U.S. Patent No. 3,488,097 to H.S. Fall

Claims 1 and 3-10 were rejected as being anticipated by the '097 Fall patent with the Examiner stating the following:

The claims are of such breadth that they read on the rack mounting system of H. S. Fall. H.S. Fall discloses a rack mounting system comprising two opposite slide mechanisms having the support rails (10) supporting the slide rails (12,14). The support rail has a well define first and second securement regions that constitute a central web (54, 56) with first and second flanges (64, 70) extend over between the web. The slide rail (12 and 14) has a height approximately less than half the distance of the support rail. Each slide rail is telescopingly mated with another rails (18, 20) in a stack transverse direction such that to form a set of the slide rail assembly. The slide rail assemblies are disposed adjacently to the longitudinal edges (64, 66, 68, 70) of the securement regions. See Figures 1-5.

Of the claims rejected by the Examiner, only claims 1 and 7 are in independent form. Claims 1 and 7 have been amended so that they now include a slide assembly being secured in a recess of the computer component side.

Since the '097 Fall patent does not suggest or teach a recess in a computer component side, much less a slide assembly secured to or in the recess, amended independent claims 1 and 7 are not anticipated by or obvious in view of the '097 Fall patent. *In re Sernaker*, 702 F.2d 989, 994-996 (Fed. Cir. 1983).

U.S Patent No. 5,460,441 to *Hastings et al.* in view of U.S. Patent No. 2,346,167 to *J.R. Jones et al.*

In rejecting claims 1, 3-10, 12, 13 and 15-21, the Examiner stated as follows:

Hastings et al. disclose a rack mount computer system (10) comprising a rectangle configured cabinet (12) enclosed by access sides and rear panels (16, 20) and an access door (22) is hingedly secured to the front side of the cabinet. The cabinet is designed to have supporting rail structures (52) that is attached to the side panels for supporting the slidingly computer component server (32a) extend in and out the cabinet for access. The server has a telescoping slide rail portions at the lower end of its peripheral side walls (48) for cooperatively engaged the sliding rail assemblies (54, 56) and the supporting rail structures (52). A mounting cable support bracket (122) with hinges and flanges connected between the rear sever (sic) and the rear post (28) of the cabinet wherein the bracket is extending out and retract as the server slide in and out the cabinet. See Figures 1-4. J.R. Jones et al. teach the two identical opposite rail systems comprising a support rail (A) supporting slide rail © that is telescopingly mated in a stack transverse direction with other rail (B) in order to form a set of a rail

assembly. The support rail has a central web with an upper and lower flanges (10, 11) formed thereof at the top and bottom, see Figure 11. The web has a longitudinal axis that is dividing the web into the upper and lower mounting regions. (It should be noted that all objects have a longitudinal axis). There are attaching means (20) located at the upper and lower securement regions of the web. The slide rail 30 is specifically recited as having a less vertical depth than the supporting rail so that it fixed at the lower edge portion of the support rail, see column 2, lines 21-23. See Figures 1-13. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the rack mount computer system of Hastings et al. with a rail system as taught by J.R. Jones et al. in order to have a slide rail that is telescopingly mated in a stack transverse direction with other rail to form a slide assembly. With respect to the slide rail assembly having a height less than half the distance of the support rail, it would have been an obvious matter of choice of design at the time the invention to have made the slide rail assembly half the height of the support rail for a particular application thus producing no new and unexpected results. Also, it should be noted that J. R. Jones is specifically teaches the slide rail assembly in less depth/height than the supporting rail. **With respect to the peripheral side walls of the server having a recess, it would have been an obvious matter of choice of design at the time the invention to have provided such recess to peripheral side walls of the server in order to have a slide rail portion mounted thereon to be flushed (sic) with the side wall of the server.** (Emphasis added.)

Of the claims rejected by the Examiner, only claims 1, 7 and 12 are in independent form.

The Examiner admits, as stated above, that neither the '441 Hastings patent or the '167 Jones patent disclose the side walls in the server or other computer component having a recess by arguing that it is a matter of "choice of design."

Applicants have invented a computer component rack mounting arrangement to provide increased internal volume in computer components by using a low-profile rail arrangement. See page 1, lines 9 and 10. In particular, this low-profile rail arrangement provides increased access volume when the server is retracted and increases the useful volume within the server enclosure with a relatively simple structure, consisting of interchangeable or symmetrical parts, which can be mounted on either the left or right hand sides of a computer component. See, page 3, lines 2-10 and page 3, lines 15-23.

Applicants provided, at page 8, lines 4-11 and as shown in Figure 2, an example where a slot mounting structure 40 within enclosure 32 is accessible at lower regions due to the low-profile of the rail mounting structures. In this example, the upper cover 38 may be removed down to the level of recesses 36 to gain access to lower regions of the computer component. See also, page 13, lines 11-16 and page 16, lines 20 to page 17, line 15.

In view of the additional benefits of the present rack mounting arrangement, as discussed above, and since none of the references relied on by the Examiner expressly teach or suggest the recess, much less a slide assembly in the recess, as claimed in amended independent claims 1, 7 and 12, these independent claims are not obvious. *In re Dembiczak*, 175 F.3d 994, 1000 (Fed. Cir. 1999) (burden on PTO to prove a suggestion, teaching, or motivation to combine the prior art references cited against the pending claims). Therefore a *prima facie* case on obviousness has not been established.

The '441 Hasting patent in view of the '167 Jones patent, as applied to claims 1, 3-10, 12, 13, and 15-21, in further view of U.S. Patent No. 5,833,337 to Kofstad.

In rejecting claims 2, 11 and 14, which depend directly from amended independent claims 1, 7 and 12, the Examiner stated:

Kofstad teaches the support rail (54) has plurality apertures on the upper and lower mounting regions for receiving fasteners, see Figure 4. It would have been obvious to one of ordinary skill in the art at the time of invention was made to have provided the support rails of Hastings et al. with plurality apertures as taught by Kofstad in order for support rails to be enabled to receive plurality fasteners to further enhance the securement of the rail to the structure that is being mounted to.

The '337 Kofstad patent does not show the combination of the invention as now claimed in amended independent claims 1, 7 and 12. Since their independent claims are allowable, as discussed above, the rejected depending claims are also allowable.

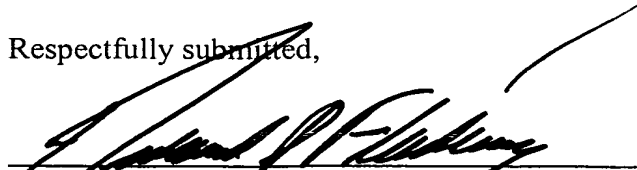
Supplemental Information Disclosure Statement

Enclosed is a Supplemental Information Disclosure Statement of information for review by the Examiner, along with the required fee. Initialing and return of the PTO-1449 for this Supplemental Information Disclosure Statement is respectfully requested.

CONCLUSION

In view of the above, Applicants respectfully request the withdrawal of the rejections to the claims and the allowance of all the remaining claims 1-21. If there are any questions or comments regarding this Response to the first Office Action, the Examiner is encouraged to contact the undersigned.

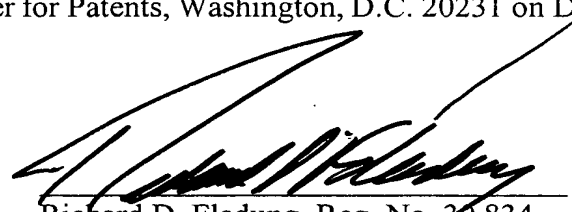
Respectfully submitted,


Richard D. Fladung, Reg. No. 30,834

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.
711 Louisiana, Suite 1900
Houston, Texas 77002
(713) 220-5800
(713) 236-0822 Fax

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to BOX FEE AMENDMENTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on December 14, 1999.


Richard D. Fladung, Reg. No. 30,834